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UNCLAS SECTION 01 OF 02 MANILA 002459

SIPDIS

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STATE FOR G/TIP, EAP/MTS, EAP/RSP, INL, DRL  
LABOR FOR ILAB  
JUSTICE FOR CRIMINAL DIVISION  
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TAGS: [PHUM](#) [KCRM](#) [KWMN](#) [EAID](#) [RP](#)  
SUBJECT: LATEST TIP CONVICTION

REF: A. MANILA 1276

[1B.](#) MANILA 1054

[1C.](#) MANILA 1043

[1D.](#) MANILA 688

[11.](#) Summary: On July 20, a regional trial court in Cebu City convicted and sentenced two people to life imprisonment for trafficking in persons (TIP), the sixth conviction in the Philippines to result in a jail sentence and the first in Cebu. The judge also fined the defendants three million pesos (USD 66,900) and ordered them to pay 100,000 pesos (USD 2,230) in civil damages to each of the nine victims. The International Justice Mission, an NGO grantee of the State Department's Trafficking in Persons Office (G/TIP), celebrated the conviction, as it is the first trafficking case that any NGO investigated and prosecuted that led to a conviction, underscoring the unusual but effective partnership between the Philippine government and NGOs on this issue of common concern. End Summary.

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TIP CONVICTION IN CEBU  
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[12.](#) On July 20, the Regional Trial Court of Cebu City found defendants Theresa Castro and Rolando Cuico guilty of "qualified trafficking" (Section 6 of Republic Act 9208, the 2003 anti-TIP law) and sentenced them to life imprisonment. The judge fined the two traffickers three million pesos (USD 66,900) and ordered them to pay each of the nine victims 100,000 pesos (USD 2,230) for "moral and exemplary damages."

[13.](#) This case stems from an investigation in the slum community of Kamagayan in Cebu City by the NGO International Justice Mission (IJM) beginning in December 2004, shortly after IJM received a two-year \$227,000 grant from G/TIP. The Kamagayan neighborhood was a well-known destination point for trafficked women and children, often from poorer communities in Mindanao and typically between the ages of 17-25, although children as young as 14 were sold for sex in the neighborhood's makeshift brothels after having been tricked into forced prostitution with promises of work as domestic helpers in Cebu. .

[13.](#) Based on NGO reports and law enforcement surveillance, undercover operatives from the Philippine National Bureau of Investigation (NBI) and IJM investigators conducted an entrapment operation against the two suspects, who reportedly had forced many women and children into prostitution in Kamagayan. IJM rescued nine victims, including three minors, while authorities arrested two "pimps" and charged them with

violation of R.A. 9208. Under R.A. 9208, cases involving criminal syndicates or the trafficking of minors automatically count as "qualified trafficking" and carry stiffer penalties, including life imprisonment. "Qualified trafficking" is also a non-bailable offense. Social workers from the Philippine Department of Social Welfare and Development (DSWD) immediately took custody of the victims and have provided assistance over the past two years.

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IJM'S EFFORTS TO COMBAT TRAFFICKING  
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¶4. IJM established its office in Manila in 2001 and assembled a team of Philippine investigators, lawyers, and social workers to combat the exploitation and trafficking of children. The office provides free legal, investigative, and social work assistance to abused and exploited children. Prior to the enactment of the 2003 Anti-TIP Law, IJM investigated and prosecuted cases of child sexual exploitation under R.A. 7610, the Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act. Since 2003, however, IJM attorneys have pursued all of their trafficking cases under the Anti-TIP Law.

¶5. Since the awarding of the two-year G/TIP grant to IJM, its attorneys have filed 22 cases of trafficking with the Philippine Department of Justice (DOJ), leading to the arrest of 53 suspects and the rescue of 54 victims. DOJ found probable cause in seventeen of the 22 cases and filed these in the courts. The five other cases remain at DOJ, still undergoing inquest proceedings or preliminary investigations. The July 20 conviction in Cebu (one of the 17 filed in court) is the first conviction in a case that IJM had

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investigated and initiated. The majority of IJM's cases result from similar entrapment operations -- conducted in close coordination and alongside Philippine law enforcement agents and government social workers.

¶6. IJM-Philippines' Executive Director Patty Sison-Arroyo received the Embassy's prestigious Benigno "Ninoy" Aquino Fellowship in Public Service in 2006. In 2007, IJM established a full-time office in Cebu to increase its presence and pursue cases in the Visayas. In the 2007 G/TIP grant process, IJM submitted a new proposal, which was the top recommendation of the Mission's TIP Working Group from among 23 proposals.

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COMMENT  
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¶7. This trafficking conviction in Cebu is a testament to the proactive efforts of Philippine NGOs, most notably IJM, to combat the exploitation of trafficked women and children in the Philippines. This case also highlights an unusual but effective partnership between an NGO and the Philippine government to investigate and prosecute human traffickers.

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